

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BURBERRY LIMITED; GIANNI VERSACE, S.R.L.;  
HERMÈS INTERNATIONAL; LOUIS VUITTON  
MALLETTIER; AND MICHAEL KORS, L.L.C.,

Plaintiffs,

-against-

VARIOUS JOHN DOES, JANE DOES, and  
XYZ COMPANIES,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 11/7/2023

23 Civ. 8963 (AT)

**ORDER**

ANALISA TORRES, District Judge:

On October 25, 2023, the Court entered a seizure and temporary restraining order in this action and directed Plaintiffs to personally serve the summons, complaint and accompanying declaration, and order on Defendants “by hand-delivering a copy of the same to individuals at the locations specified above during the execution” of the order. ECF No. 25 at 54. Following the seizure, Plaintiffs represented that they had personally served the papers on individuals present at two target locations: 35 West 31st Street, and a white graffitied truck on Broadway with New York license plate ZWX 1388. *See* ECF No. 6. By **November 8, 2023**, Plaintiffs shall file proof of service on these individuals on the docket.

Plaintiffs also stated, however, that they were unable to personally serve any individuals at Gotham Mini Storage or any sidewalk vendors (the “Unserved Defendants”) within the area defined in the order. *Id.* In a subsequent letter, Plaintiffs stated that they have been “unable to identify the Gotham tenant and the sidewalk vendors” in order to effect personal service. ECF No. 29.

A court may not issue an injunction against someone unless the court has acquired valid personal jurisdiction over that person. *Weitzman v. Stein*, 897 F.2d 653, 658–59 (2d Cir. 1990). And a court does not have personal jurisdiction over a person who has not been validly served. *Omni Cap. Int’l, Ltd. v. Rudolf Wolff & Co.*, 484 U.S. 97, 104 (1987). Accordingly, the Court cannot enter a preliminary injunction against the Unserved Defendants unless and until Plaintiffs effect personal service.

The show cause hearing scheduled for November 9, 2023, at 12:00 p.m., shall be held telephonically. The parties shall dial (888) 398-2342 or (215) 861-0674 at the time of the hearing, and use access code 5598827.

SO ORDERED.

Dated: November 7, 2023  
New York, New York



ANALISA TORRES  
United States District Judge